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Attorneys for Plaintiff  
 Adobe Systems Incorporated

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA (SAN JOSE)

Adobe Systems Incorporated,  
  
 Plaintiff,  
  
 v.  
  
 Daniel Smith, an individual and d/b/a DMS  
 Enterprise; Duy Nguyen a/k/a Duy Ahn Nguyen  
 a/k/a Danny Nguyen, an individual and d/b/a  
 DMS Enterprise; and Does 2 – 10, inclusive,  
  
 Defendants.

Case No. C14-00389 EJD (PSG)

**NOTICE OF DISMISSAL OF  
 DEFENDANT DANIEL SMITH ONLY  
 PURSUANT TO FED.R.CIV.P.  
 41(a)(1)(A)(i) WITHOUT PREJUDICE**

PLEASE TAKE NOTICE THAT pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i), Plaintiff Adobe Systems Incorporated (“Plaintiff”) dismisses Defendant Daniel Smith, an individual and d/b/a DMS Enterprise, only, from the First Amended Complaint brought by Plaintiff, without prejudice.

DATED: August 27, 2014

J. Andrew Coombs, A Professional Corp.

By: /s/ Annie S. Wang  
 J. Andrew Coombs  
 Annie S. Wang  
 Attorneys for Plaintiff Adobe Systems Incorporated

**PROOF OF SERVICE**

I, the undersigned, certify and declare that I am over the age of 18 years, employed in the County of Los Angeles, and not a party to the above-entitled cause. I am employed by a member of the Bar of the United States District Court of California. My business address is 517 East Wilson Avenue, Suite 202, Glendale, California 91206.

On August 27, 2014, I served the:

NOTICE OF DISMISSAL OF DEFENDANT DANIEL SMITH ONLY PURSUANT TO  
FED.R.CIV.P. 41(a)(1)(A)(i) WITHOUT PREJUDICE

for the following civil action:

Adobe Systems Incorporated v. D. Smith, et al.

on the following interested parties in this action:

Duy Nguyen a/k/a Duy Ahn Nguyen a/k/a Danny Nguyen, an individual and d/b/a DMS Enterprise [REDACTED] Lawrenceville, GA 30049
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by placing a true and correct copy thereof in an envelope to be immediately sealed thereafter. I am readily familiar with the office's practice of collecting and processing correspondence for mailing. Under that practice it would be deposited with the United States Postal Service on the same day with postage thereon fully prepaid at Glendale, California, in the ordinary course of business. I am aware that on motion of the party served, service may be presumed invalid if the postal cancellation date or postage meter is more than one day after the date of deposit for mailing in affidavit.

Place of Mailing: Glendale, California.

Executed on August 27, 2014, at Glendale, California.

  
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Katrina Bartolome